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Outgoing
Paul Baker <paulbaker@utah.gov>

Noxious Weed Control at Clinton Clay Pit

1 message

Paul Baker <paulbaker@utah.gov>

Wed, Sep 21, 2016 at 2:05 PM

To: rhinejon@gmail.com

Cc: April Abate <aprilabate@utah.gov>, Lynn Kunzler <lynnkunzler@utah.gov>

Mr. Rhine--

As we discussed, the Division of Oil, Gas and Mining is willing to release the remaining reclamation surety for the Clinton Clay Pit once Interpace has made a legitimate, one-time, documented effort to control the noxious weeds on the site. Please provide documentation of control efforts, including dates, methods used, etc.

I understand that an herbicide called Milestone (Aminopyralid) will be used, and I have found studies showing it is effective in controlling infestations of biennial thistles, including Scotch thistle and musk thistle. These are the weeds of most concern.

Dalmatian toadflax is also present on the site though it is not abundant. Milestone is apparently not effective in controlling Dalmatian toadflax, and I recommend that the applicator spot spray this weed with Telar. This is recommended but not required.

(I have personal experience using a fall application of Telar on Dalmatian toadflax and had very good results.)

Milestone likely will control some of the other annual weeds if they are present.

The basis for control of noxious weeds is rule R647-4-111.5 which requires that the area be left in a condition capable of supporting the postmining land use. Noxious weeds are not compatible with any postmining land use.

There are regulatory and practical reasons for not requiring eradication of weeds. First, it is nearly impossible. Some noxious weed seeds can remain viable in the soil for 50 years or more (field bindweed), and most others remain viable for at least five years. If the plants are in the area, seeds are going to be continually introduced by various means.

The Utah Noxious Weed Act requires land owners to control noxious weeds on their property, so the owner of the land where the mine is located is required by law to continue control efforts. I recognize that most land owners ignore this law.

I will print this e mail for our file.

Paul Baker
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M-W, F